

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

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MARK HOFFMAN,

Civil Action No.
Plaintiff, 1:25-cv-02186-AMD-JAM

v.

RFG USA INC D/B/A ROYAL FUNDING GROUP

ANSWER

Defendant.
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Defendant RFG USA Inc. d/b/a ROYAL FUNDING GROUP (“Defendant”) by its attorneys Ershowsky Verstandig PLLC, as and for its Answer to Plaintiff Mark Hoffman’s (“Plaintiff”) First Amended Class Action Complaint (“Complaint”), states as follows:

Defendant states that the recitations of statutes and regulations set forth in the preliminary paragraphs of the Complaint constitute conclusions of law to which no response is required.

1. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 1 of the Complaint.

2. Defendant admits that it is a New York domestic corporation and otherwise denies the allegations set forth in Paragraph 2 of the Complaint.

Defendant states that the section of the Complaint labeled “Jurisdiction and Venue” sets forth conclusions of law to which no response is required.

3. Defendant states that Paragraph 3 of the Complaint sets forth a conclusion of law to which no response is required.

4. Defendant states that Paragraph 4 of the Complaint sets forth a conclusion of law to which no response is required.

5. Defendant states that Paragraph 5 of the Complaint sets forth a conclusion of law to which no response is required.

6. Defendant states that Paragraph 6 of the Complaint sets forth a conclusion of law to which no response is required.

7. Defendant states that Paragraph 7 of the Complaint sets forth a conclusion of law to which no response is required.

8. Defendant states that Paragraph 8 of the Complaint sets forth a conclusion of law to which no response is required.

9. Defendant denies the allegations set forth in Paragraph 9 of the Complaint.

10. Defendant states that Paragraph 10 of the Complaint sets forth a conclusion of law to which no response is required.

11. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 11 of the Complaint.

12. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 12 of the Complaint.

13. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 13 of the Complaint.

14. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 14 of the Complaint.

15. Defendant states that Paragraph 15 of the Complaint sets forth a conclusion of law to which no response is required.

16. Defendant states that Paragraph 16 of the Complaint sets forth a conclusion of law to which no response is required.

17. Defendant states that Paragraph 17 of the Complaint sets forth a conclusion of law to which no response is required.

18. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 18 of the Complaint.

19. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 19 of the Complaint.

20. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 20 of the Complaint.

21. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 21 of the Complaint.

22. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 22 of the Complaint.

23. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 23 of the Complaint.

24. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 24 of the Complaint.

25. Defendant denies the allegations set forth in Paragraph 25 of the Complaint.

26. Defendant lacks sufficient information to respond to the allegations set forth in Paragraph 26 of the Complaint.

27. Defendant denies the allegations set forth in Paragraph 27 of the Complaint.

28. Defendant denies the allegations set forth in Paragraph 28 of the Complaint.

29. Defendant denies the allegations set forth in Paragraph 29 of the Complaint.

30. Defendant denies the allegations set forth in Paragraph 30 of the Complaint.

31. Defendant denies the allegations set forth in Paragraph 31 of the Complaint.

32. Defendant denies the allegations set forth in Paragraph 32 of the Complaint.

33. Defendant denies the allegations set forth in Paragraph 33 of the Complaint.

34. Defendant states that Paragraph 34 of the Complaint sets forth a conclusion of law to which no response is required.

35. Defendant states that Paragraph 35 of the Complaint sets forth a conclusion of law to which no response is required.

36. Defendant states that Paragraph 36 of the Complaint sets forth a conclusion of law to which no response is required.

37. Defendant states that Paragraph 37 of the Complaint sets forth a conclusion of law to which no response is required.

38. Defendant states that Paragraph 38 of the Complaint sets forth a conclusion of law to which no response is required.

39. Defendant states that Paragraph 39 of the Complaint sets forth a conclusion of law to which no response is required.

40. Defendant states that Paragraph 40 of the Complaint sets forth a conclusion of law to which no response is required.

41. Defendant states that the section labeled Count I of the Complaint sets forth conclusions of law to which no answer is required. To the extent a response is required, Defendant denies the allegations contained in Count I.

42. Defendant states that the section labeled Count 2 of the Complaint sets forth conclusions of law to which no answer is required. To the extent a response is required, Defendant denies the allegations contained in Count II.

43. Defendant states that the section labeled Count 3 of the Complaint sets forth conclusions of law to which no answer is required. To the extent a response is required, Defendant denies the allegations contained in Count 3.

AFFIRMATIVE DEFENSES

1. To the extent that Plaintiff was contacted by Defendant, Plaintiff consented to receiving such communications.

2. To the extent that Plaintiff was contacted by Defendant, Defendant is not liable for unintentional or unknowing communications.

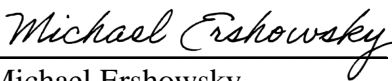
3. Plaintiff has not suffered any damages and lacks standing to assert the claims set forth in the Complaint.

WHEREFORE, Defendant respectfully request this Court grant him relief as follows:

- A. Dismissing the action;
- B. Awarding Defendant his costs and fees incurred in defending this action; and
- C. Ordering such other and further relief as to the Court seems just and proper.

Dated: Lawrence, New York

September 18, 2024


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